

Ex. 4

David Ross Chason  
Licensed Pharmacist, Consultant

Box Hill Surgery Center  
And  
Office Practice of Ritu T. Bhambhani, MD

Box Hill Surgery Center  
100 Walter Ward Blvd.  
Abingdon, Md. 21009

Reviewer:

David Ross Chason, RPh, MBA  
Maryland Pharmacist License Number 07477  
License Expiration 3/31/2019  
Curriculum Vitae – on request

Date:

January 20, 2018

I. Documents reviewed:

- A. Records of Brenda Rozek
  - 1. Autopsy
  - 2. Medical Record from Box Hill Surgery Center
  - 3. Record of History and Physical.
- B. Records of Box Hill Surgery Center
  - 1. Answers to Interrogatories
  - 2. Pharmaceutical Services Policy
  - 3. Provider Schedule
  - 4. Billing documents
  - 5. CDC FAQ's
- C. Records of Dr. Bhambhani
  - 1. Deposition dated 2/10/2016
  - 2. Deposition dated 1/9/2018
  - 3. Text messages
- D. Records of Neil Rozek
  - 1. Deposition
  - 2. NECC Compensation form
  - 3. Answers to Interrogatories
  - 4. Claim against estate
- E. Miscellaneous Records
  - 1. Chronology of purchases and administration

## II. Conclusions:

As previously stated in the review of depositions and related documents contained in the report dated September 13, 2016, this analysis was conducted from the perspective of a pharmacist with experience in the development and management of sterile compounding operations in hospitals and of a freestanding compounding pharmacy while serving as a pharmacist, hospital pharmacy director and administrator. I have additional experience in the development and administration of regulations and training of state inspectors for sterile compounding resulting from eight (8) years serving as a commissioner of the Maryland Board of Pharmacy.

Based on an additional review of the Deposition dated 2/10/16 and of the Deposition dated January 9, 2018, the deficiencies in Dr. Bhambhani's clinical practice, and issues noted in the practices of the Box Hill Surgery Center are again apparent.

This deposition confirms the lack of knowledge about compounding practices and failure to adhere to good operational and clinical practice relating to pharmaceuticals by Dr. Bhambhani. As was evident in her February 10, 2016 testimony, Dr. Bhambhani did not know and failed to follow law and regulations regarding the rules for writing prescriptions, did not understand the differences between compounding and manufacturing, nor performed the appropriate amount of due diligence on the choice of vendors, and or appropriate procedures for handling, storage and use of vials of preservative free MPA. In my opinion, her lack of knowledge in this regard and the failure to perform these tasks as warranted, placed her patients, including Brenda Rozek at risk of serious infection in which Ms. Rozek suffered in 2012.

The review of the January 9, 2018 Deposition provides further confirmation that the lack of understanding of regulations and appropriate practice standards apparently continues to exist.

The complete analysis of the January 9, 2018 Deposition required referral to the answers given in the Deposition of February 10, 2016. In the majority of cases, the answers appear to the writer to be consistent with the prior Deposition. In some cases, Dr. Bhambhani's responses in the January 9, 2018 Deposition appear to provide additional detail that reinforces the conclusions regarding the practice failures noted in the previous report. I adhere to and remain of the opinions expressed in that report.



Prepared by David Ross Chason  
January 22, 2018